

NDTX FORM A-2014

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 3:14-CR-367-B(16)
	§	
CHEYENNE MILLER.	§	

ORDER

The Court has received the following document from you:

- ☐ Motion pursuant to 18 U.S.C. § 3582(c)
- ☐ Habeas petition pursuant to 28 U.S.C. § 2255 or amendment thereto
- ☒ Motion for appointment of counsel
- ☐ Other _____

This filing appears to allege the applicability of the 2014 retroactive amendment to the United States Sentencing Guidelines reducing the base offense levels applicable to most quantities on the drug and chemical quantity tables, known as Amendment 782. If you claim that you are entitled to a modification or reduction of your sentence based on Amendment 782, your claim should be submitted as a motion on the form approved by the Northern District of Texas for these types of claims. **(Only claims based on Amendment 782 should be filed on this standard form. All other claims should be made by separate motion.)** The information requested in the approved form will help the Court decide whether you qualify for a reduced sentence based on Amendment 782. After reviewing your motion, the Court will consider whether it needs to appoint counsel. You do not need to file a separate motion for appointment of counsel.

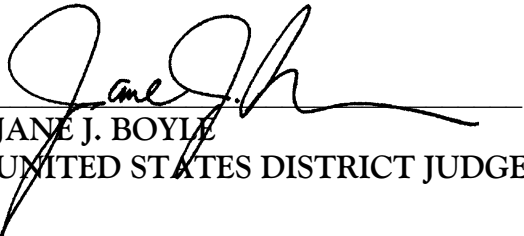
- ☒ **The Clerk of the Court** shall mail to the movant/petitioner the standard form approved by this District for motions under 18 U.S.C. § 3582(c)(2) to reduce a sentence based on Amendment 782.
- ☐ The standard form is not required because you have also submitted a motion under 18 U.S.C. § 3582(c) that contains enough information for the Court to decide if you qualify for a reduced sentence based on Amendment 782.

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By this ORDER,

- (X) The motion for appointment of counsel is **DENIED** without prejudice. See *United States v. Whitebird*, 55 F.3d 1007, 1011 (5th Cir. 1995) (There is no statutory or constitutional right to appointed counsel for the purpose of bringing a motion to reduce sentence.); *United States v. Townsend*, 108 F.3d 333 (5th Cir. 1997) (unpublished).
- () The motion is **DENIED with out prejudice** to properly filing a motion on the court's form.
- () The requested relief is **DENIED**.
- () The habeas claims will be separately considered pursuant to the Court's usual procedures.

SIGNED on March 10, 2016.


JANE J. BOYLE
UNITED STATES DISTRICT JUDGE